

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JONATHAN NNEBE, *et al.*,

Plaintiffs,

-v-

MATTHEW DAUS, *et al.*,

Defendants.

No. 06-cv-4991 (RJS)

ORDER

RICHARD J. SULLIVAN, Circuit Judge:

The Court is in receipt of the parties' joint letter addressing various post-trial issues. (Doc. No. 666.) Defendants first seek leave to file a post-trial motion on or before December 14, 2023. Plaintiffs do not oppose that request so long as any opposition would be due after January 1, 2024. Accordingly, IT IS HEREBY ORDERED THAT Defendants shall file any post-trial motion(s) under Rule 50 or Rule 59 by December 14, 2023, and Plaintiffs shall file their opposition to Defendants' motion(s) by January 5, 2024. No pre-motion conference is required. This briefing schedule does not affect the Court's outstanding order to file submissions on prejudgment interest. (Doc. No. 665.)

Plaintiffs also indicate that they will seek attorneys' fees after judgment is entered and raise the possibility of the Court entering partial final judgment under Rule 54(b) for the twenty test-case plaintiffs. Subject to its review and resolution of Defendants' post-trial motions, the Court anticipates that it will enter partial final judgment under Rule 54(b) on these twenty plaintiffs once prejudgment interest has been ascertained. The Court will address the issue of attorneys' fees after partial final judgment has been entered.

Finally, the parties suggest various next steps in this litigation, including the possibility of additional damages trials and settlement negotiations, potentially with the assistance of a magistrate judge. The Court acknowledges these proposals and will address them as they become necessary.

SO ORDERED.

Dated: November 27, 2023  
New York, New York



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RICHARD J. SULLIVAN  
UNITED STATES CIRCUIT JUDGE  
Sitting by Designation